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OGC REVIEW  
COMPLETED

28 July 1955

MEMORANDUM FOR: Director of Personnel

25X1A SUBJECT : Military Per Diem Allowance - Proposed 25X1A

REFERENCE : Memorandum for OGC from Director of Personnel,  
subject as above, dated 28 July 1955, and attached  
proposed notices

1. Reference memorandum requests the concurrence of this Office in the proposed notices cited above. Except as noted below, this Office concurs in both notices.

25X1A 2. Paragraph 2(b) provides for a general amendment to all outstanding Letters of Authorization which authorize the payment of civilian per diem to thereafter provide for the payment of military per diem. Paragraph 3 recognizes that certain military details may be required by operational assignment or cover circumstances to incur substantial living expenses over and above their military entitlements, and states "If civilian per diem is justified on the grounds stated above, the appropriate authorizing official will grant such payments." In our opinion, the quoted sentence will lead to confusion. Usually, when referring to travel authorizations, the "appropriate authorizing official" is the official who is authorized to approve travel orders. (See proposed R 25X1A However, when dealing with military details utilized in other than a departmental capacity, the official authorizing travel may only grant those allowances permitted by the individual's Letter of Authorization. (See 25X1A Since the proposed notices amend all outstanding letters of authorization to grant military per diem, the letters must be further amended to permit the payment of civilian per diem.

3. This Office recommends the following changes in both of the proposed notices:

(a) The following language would be substituted for present paragraph 2(a):

"Effective 1 May 1955, all military details without a letter of authorization will be granted military per diem in accordance with the Joint Travel Regulations unless the appropriate official authorizing travel specifically authorizes civilian per diem for the reasons stated in paragraph 1 above."

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(b) The following language would be substituted for present paragraph 3 and numbered 2(c):

"After \_\_\_\_\_ 1955, the Letter of Authorization for any military detail assigned in other than a departmental capacity must be specifically further amended if civilian per diem is to be authorized. Justification for such amendment, on the grounds referred to in paragraph 1 above, should be submitted to the Special Contracting Officer, Headquarters.

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Office of General Counsel

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